

REMARKS

Claims 1, 2, 4-10, 17, 18, 20-28, and 30-43 are pending in this application. By this Response, claims 1, 2, 4-10, 17, 18, 20-28, and 30-36 are amended, claims 3, 11-16, 19, and 29 are canceled, and claims 37-43 are added. Claims 1, 17, and 27 are amended to recite that the stored information identifies a plurality of project activities associated with a project and that each given project activity within the plurality of project activities identifies at least one person responsible for the given project activity; that each message of the at least one customized message is in reference to a corresponding project activity of the plurality of project activities associated with the project; that one or more message components of each customized message are derived from the parsing of the stored information; and that the stored information is updated to form updated stored information, where updating the stored information updates the status of at least one project activity of the plurality of project activities associated with the project to identify a completion status of the at least one project activity. Support for these amendments may be found in Applicants' specification at least on page 8, lines 13-22, on page 6, lines 3-8 and lines 17-18, and in canceled claims 3, 19, and 29. Claims 2, 4-10, 18, 20-26, 28, and 30-36 are amended for clarification purposes in view of the amendments to claims 1, 17, and 27. Reconsideration of the claims is respectfully requested in view of the above amendments and the following remarks.

I. Telephone Interview

Applicants thank Examiner Mouzon for the courtesies extended to Applicants' representative during the September 10, 2007 telephone interview. During the telephone interview, the above amendments and the distinctions of the claims over the cited art were discussed. Examiner Mouzon agreed that the amendment made to claim 27 would overcome the current 35 U.S.C. § 101 rejection of claims 27-36. Examiner Mouzon also indicated that the above amendments to claims 1, 17, and 27 would overcome the Dabney reference. Therefore, it is Applicants' understanding that, pending an update search by

Examiner Mouzon, the present claims are now in condition for allowance. The substance of the telephone interview is summarized in the following remarks.

II. Information Disclosure Statement

The Office Action states that the listing of references in the specification is not a proper information disclosure statement. Applicants respectfully submit that the reference to which the Office Action refers is only provided to point out the fact that XML is known in the art. Thus, consideration of the reference is not necessary since the reference is only used to establish knowledge of those of ordinary skill in the art.

III. Specification

By this Response, the specification is amended to correct minor informalities. The specification is amended to include reference to element number 506. Applicants respectfully submit that Figure 5 provides support for this amendment. Applicants are only amending the specification to satisfy the Examiner's objection to the drawings and no new matter has been added.

IV. Drawings

The Office Action objects to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include reference character 506 which is not mentioned in the description. As discussed above, the specification is amended to add element number 506 in the specification at page 10, line 1. Applicants respectfully submit that Figure 5 provides support for this amendment. Thus, Applicants respectfully request that the objection to the drawings be withdrawn.

V. 35 U.S.C. § 101, Claims 27-36

The Office Action rejects claims 27-36 under 35 U.S.C. § 101 alleging that the claims are “directed to non-statutory subject matter.” This rejection is respectfully traversed.

Regarding claims 27-36, Applicants have amended claim 27 to recite “A computer program product stored on a computer memory.” Claim 27 is amended in order to obtain expedited allowance of the application. Claims 28-36 are amended to include similar subject matter to that of claim 27. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Therefore, Applicants respectfully submit that claims 27-36 are statutory. Thus, Applicants respectfully request withdrawal of the rejection of claims 27-36 under 35 U.S.C. § 101.

VI. 35 U.S.C. § 102, Alleged Anticipation, Claims 1-36

The Office Action rejects claims 1-36 under 35 U.S.C. § 102(e) as being allegedly anticipated by Dabney et al. (U.S. Publication No. 2004/0249786 A1). This rejection is respectfully traversed.

Amended claim 1, which is representative of the other rejected independent claims 17 and 27, reads as follows:

1. A method of communication, the method comprising:
parsing stored information, **wherein the stored information identifies a plurality of project activities associated with a project and wherein each given project activity within the plurality of project activities associated with the project identifies at least one person responsible for the given project activity;**
automatically sending at least one customized message to the at least one person responsible for each given project activity, wherein each message of the at least one customized message is in reference to a corresponding project activity of the plurality of project activities

associated with the project and wherein one or more message components of each customized message are derived from the parsing of the stored information; and

updating the stored information to form updated stored information, wherein updating the stored information updates the status of at least one project activity of the plurality of project activities associated with the project to identify a completion status of the at least one project activity. (emphasis added)

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Applicants respectfully submit that Dabney does not identically show every element of claim 1 arranged as they are in the claims. Specifically, Dabney does not teach the elements emphasized above in claim 1 or similar features in the other rejected independent claims.

Dabney is directed to managing consumer feedback in an electronic content management system. The Dabney system includes a mechanism for consumers to provide feedback regarding the content that is published. The Dabney system routes the feedback to an appropriate personnel responsible for publishing the content. Routing the feedback to an appropriate personnel responsible closes the disconnect between what the consumer would like to see or cares about and the content that is published. In addition, the consumer feedback triggers monitoring of the consumers content accessing activity, which allows the consumers consumption pattern to be tracked on an individual basis. This information may then be used to better define the content that is published in order to match the consumer's interests.

Applicants respectfully submit that Dabney does not teach that the stored information **identifies a plurality of project activities associated with a project** and **that each given project activity within the plurality of project activities associated with the project identifies at least one person responsible for the given project**

activity. Dabney teaches that each ticket is associated with feedback from a given consumer pertaining to a given website at paragraphs 0030-0031, which is reproduced as follows:

[0030] Once a feedback form is received from the consumer, it is subsequently provided to a help center at step 104. The help center, which may be a manual and/or a computerized help center, parses the data from all received forms according to one or more predefined fields, such as the consumer name, email address, type of feedback, and the like. The parsed data is thereafter extracted from the forms and provided at step 106 to a database of the electronic content management system, where the data is stored. The database, which may be any suitable database such as an Oracles database, also stores the website information for the website where the form was originated.

[0031] A ticket is generated at step 108 for each consumer feedback received based on the data stored in the database. Generation of the ticket triggers logging and monitoring by the electronic content management system of all subsequent content accessing activity by the consumer who provided the feedback using an identifier such as the consumer's email address. This allows the consumption pattern of the consumer to be tracked and analyzed on a consumer-by-consumer basis and thereby, prevents dilution of the consumption pattern of important statistical outliers. The ticket itself also includes a unique tracking number which allows the issue raised by the consumer in the feedback to be tracked and analyzed.

(Dabney, paragraphs 0030-0031)

Thus, Applicants respectfully submit that each ticket in the Dabney system is a project in itself consisting of only one project activity, which is the issue of the consumer. Dabney further supports this relationship in paragraph 0007, which is reproduced as follows:

[0007] The present invention is directed to a method and system for managing consumer feedback in an electronic content management system. The method and system of the invention includes a mechanism for consumers to provide feedback regarding the content that is published. The feedback is routed to the appropriate personnel responsible for publishing the content. In this way, the disconnect between what the consumer would like to see or cares about and the content that is published is closed. In addition, the consumer feedback triggers monitoring of the consumer's content accessing activity, which allows the consumer's consumption pattern to be tracked on an individual basis. This information

may then be used to better define the content that gets published in order to match the consumer's interests.

(Dabney, paragraph 0007)

In this section, Dabney describes that by directly connecting the consumer with the publisher of the content, the publisher may directly handle the consumer's issue on an individual basis. Therefore, Dabney treats each consumer issue as its own individual project, as one consumer's issue is not associated with another consumer's issue.

Therefore, Applicants respectfully submit that Dabney does not teach a system that **identifies a plurality of project activities associated with a project.**

Additionally, the Dabney system alerts only the customer service representative that is responsible for the website related to the feedback, that feedback has been received from the consumer and needs to be addressed in paragraph 0032, which is reproduced as follows:

[0032] In some embodiments, the ticket is generated in a webform that may then be sent as an alert to a customer service representative. An automatically generated confirmation message is also emailed to the consumer at step 110 to let the consumer know that his feedback has been received and will be processed. At step 112, the customer service representative attempts to address any issues raised by the consumer in the feedback by sending the consumer an appropriate email response. The response typically includes a request that the consumer send a reply back to the customer service representative if the issue raised has been addressed to consumer's satisfaction.

(Dabney, paragraph 0032)

Thus, Applicants respectfully submit that, since Dabney teaches only one person (the customer service representative) responsible for the issue in the ticket, Dabney fails to teach a system where each given project activity within the plurality of project activities identifies at least one person responsible for the given project activity.

Further, Dabney does not teach a system that automatically sends at least one customized message to the at least one person responsible for each given project activity, where each message of the at least one customized message is in reference to a corresponding project activity of the plurality of project activities associated with the project. As discussed above, the Dabney system sends an alert to the customer service representative responsible for the website for which the feedback has been submitted.

Thus, Dabney does not send customized messages to **each person responsible for each given project activity** within the plurality of activities associated with the project, where each message of the at least one customized message is in reference to a corresponding project activity of the plurality of project activities associated with the project. That is, Dabney merely sends only one alert to only one customer service representative.

Therefore, Dabney does not teach each and every feature of independent claims 1, 17, and 27 as is required under 35 U.S.C. § 102(e). At least by virtue of their dependency on independent claims 1, 17, and 27, the specific features of dependent claims 2, 4-10, 18, 20-26, 28, and 30-36 are not taught by Dabney. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 2, 4-10, 17, 18, 20-28, and 30-36 under 35 U.S.C. § 102(e).

Furthermore, Dabney does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Office Action pointing out some teaching or incentive to implement Dabney such that stored information identifies a plurality of project activities associated with a project; that each given project activity within the plurality of project activities associated with the project identifies at least one person responsible for the given project activity; and that at least one customized message is automatically sent to the at least one person responsible for each given project activity, where each message of the at least one customized message is in reference to a corresponding project activity of the plurality of project activities associated with the project, one of ordinary skill in the art would not be led to modify Dabney to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Dabney in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

Moreover, in addition to their dependency from independent claims 1, 17, and 27, the specific features recited in dependent claims 2, 4-10, 18, 20-26, 28, and 30-36 are not taught by Dabney. For example, with regard to claims 5, 21, and 31, Dabney does not teach extracting from the stored information dependency information, wherein the dependency information identifies at least one project activity that is dependent on at

least one other project activity within the plurality of project activities that are associated with the project. As discussed above, Dabney treats each feedback from the consumer on an individual basis. Therefore, Applicants respectfully submit that no one consumer feedback issue would be dependent on any other consumer feedback issue.

Thus, in addition to being dependent on independent claims 1, 17, and 27, the specific features of dependent claims 2, 4-10, 18, 20-26, 28, and 30-36 are also distinguishable over Dabney by virtue of the specific features recited in these claims. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent claims 2, 4-10, 18, 20-26, 28, and 30-36 under 35 U.S.C. § 102(e).

VII. New Claims

Claims 37-43 are added to the pending application. Claims 37-39 recite that updating the stored information closes one of the plurality of project activities, thereby leaving one or more open project activities and that the updated stored information is parsed and **at least one second customized message is automatically sent** to the at least one person responsible for the one or more open project activities. Each message of the at least one second customized message is in reference to a corresponding project activity in the one or more **open activities** and one or more components of each second customized message are derived from the parsing of the updated stored information. Support for these claims may be found in the specification at least on page 5, lines 18-24. Consequently, no new matter is added. At least by virtue of their dependency on independent claims 1, 17, and 27, the specific features of dependent claims 37-39 are not taught by Dabney.

Furthermore, Dabney does not teach **updating the stored information closes at least one of the plurality of project activities, thereby leaving one or more open project activities**. The Office Action alleges that Dabney teaches updating the information at paragraphs 0032-0036, which are reproduced as follows:

[0032] In some embodiments, the ticket is generated in a webform that may then be sent as an alert to a customer service representative. An automatically generated confirmation message is also emailed to the consumer at step 110 to let the consumer know that his feedback has been

received and will be processed. At step 112, the customer service representative attempts to address any issues raised by the consumer in the feedback by sending the consumer an appropriate email response. The response typically includes a request that the consumer send a reply back to the customer service representative if the issue raised has been addressed to consumer's satisfaction.

[0033] The customer service representative thereafter makes a determination at step 114 whether to close the ticket or to keep the ticket open. If the customer service representative feels that the issue is of a nature such that no further action is needed, then the ticket is closed at step 116. Issues that can be resolved in this manner include, for example, simple technical questions or questions that have a definite answer. On the other hand, if the customer service representative feels that the issue merits further action, then the ticket is kept opened and escalated at step 118 to the appropriate personnel for resolution. Issues that need to be escalated include, for example, questions relating to the content of a website.

[0034] FIG. 2 illustrates an exemplary escalation procedure 118 according to embodiments of the invention. The escalation procedure 118 begins at step 200, where the customer service representative has decided that escalation is warranted. The customer service representative then determines at step 202, based on the nature of the issue raised, which corporate entity or business unit is best suited to see and/or respond to the feedback. For example, the customer service representative may escalate the ticket to the originating website at step 204. The ticket then is routed to the appropriate department or group within the website based on the type or category of feedback specified in the feedback form. For example, if the ticket contains feedback regarding articles in the "Sports" section, then it will be routed to the managing editor of that section. Such an arrangement closes the loop between what the consumer would like to see or cares about and the content that gets published.

[0035] The customer service representative may also escalate the ticket to a corporate help desk (e.g., BelolInteractive.com) at step 206 for issues that concern multiple corporate entities.

[0036] It is also possible to send the ticket to some other corporate entity besides the examples mentioned above, or to several corporate entities simultaneously instead of just one. Once the issue has been addressed by the corporate entity, a communication is sent to the customer service representative summarizing the nature of the resolution at step 208, and the escalation procedure is concluded. The customer service representative thereafter closes the ticket at step 116 (see FIG. 1).

(Dabney, paragraphs 0032-0036)

In these paragraphs, Dabney describes that a ticket that is generated based on the consumer's issues is sent to a customer service representative. The customer service

representative attempts to address the issue raised by the consumer in the feedback by sending the consumer an appropriate email response. The customer service representative then either closes the ticket or keeps the ticket open. If the customer service representative feels that the issue is of a nature such that no further action is needed, then the ticket is closed. On the other hand, if the customer service representative feels that the issue merits further action, then the ticket is kept opened and escalated to the appropriate personnel for resolution.

Thus, Dabney either closes the ticket or keeps it open. Applicants respectfully submit that nowhere, in any section of Dabney, is there a teaching wherein updating the stored information at least one of the plurality of project activities that is associated with the project is closed, thereby leaving one or more project activities that is associated with the project open. That is, as discussed above, Dabney directly connects a consumer with the publisher of the content, so that, the publisher may directly handle the consumer's issue on an individual basis. Therefore, Dabney treats each consumer issue as its own individual project, as one consumer's issue is not associated with another consumer's issue. Thus, each consumer issue is its own individual project, which is the consumer issue. The Office Action seems to support this equivalence by stating that paragraph 0032 teaches mapping the problem to the customer service representative that is responsible for solving it (see Office Action, page 6, section 11).

Thus, while Dabney may teach updating stored information, the information that is updated is associated with an individual consumer and the single issue of feedback raised by the consumer. By updating the stored information, the customer service representative may either keep the ticket open or close the ticket. As such, Dabney does not provide for closing one portion of a ticket while leaving other portions of the ticket open. Thus, Dabney fails to teach a system where updating the **stored information closes at least one of the plurality of project activities associated with the project, thereby leaving one or more open project activities associated with the project.**

Claims 40-42 recite that the parsing further comprises extracting from the stored information defect information, wherein the defect information identifies at least one project activity that is defective within the plurality of project activities that are associated with the project. Support for these claims may be found at least in the

canceled portions of claims 5, 21, and 31. Consequently, no new matter is added. At least by virtue of their dependency on independent claims 1, 17, and 27, the specific features of dependent claims 40-42 are not taught by Dabney.

Claim 43 recites receiving a plurality of project activities that are associated with a project; receiving an identification of at least one person responsible for each given project activity within the plurality of activities associated with the project; storing the plurality of activities associated with the project and the at least one person responsible for each given project activity as stored information; parsing the stored information, wherein parsing the stored information identifies open project activities within the plurality of project activities associated with the project; and automatically sending at least one customized message to the at least one person responsible for each given project activity with the open project activities and wherein one or more components of the at least one customized message are derived from the parsing of the stored information. Support for these claims may be found in the specification at least on page 7, lines 17, to page 9, line 1. Consequently, no new matter is added. Further, as discussed above, Dabney does not teach a system that has a plurality of project activities that are associated with a project; a system that identifies at least one person responsible for each given project activity within the plurality of activities associated with the project; a system that identifies open project activities within the plurality of project activities associated with the project; or a system that automatically sends at least one customized message to the at least one person responsible for each given project activity with the open project activities.

VIII. Conclusion

It is respectfully urged that the subject application is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

DATE: September 11, 2007

A handwritten signature in cursive script that reads "Francis Lammes". The signature is written in dark ink and is positioned above the printed name and address.

Francis Lammes

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